

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

84

May 20, 2003

FROM: WALLY HILL, County Administrative Officer
County Administrative Office

KEN MILLER, Director
Department of Public Works

SUBJECT: VALLEY/PEPPER INTERSECTION PROJECT IN COLTON

RECOMMENDATION:

1. Terminate Contract No. 96-1120 with Parson Brinckerhoff Quade & Douglas Inc.
2. Approve a new contract with Parsons Brinckerhoff Quade & Douglas Inc. in the amount of \$645,888 to provide design, environmental and construction management services for improving the Valley Boulevard and Pepper Avenue intersection in Colton.
3. Approve the transfer of \$43,082 from the Capital Improvement Program (CIP) budget to the Transportation Road Fund for the Valley/Pepper Intersection Project.
4. Approve use of Valley and Pepper Intersection Reserve in the amount of \$6,000,000 to finance the design, construction, and construction engineering of the Valley Boulevard and Pepper Avenue intersection project (4 votes required).

BACKGROUND INFORMATION: On August 12, 1991, the Board of Supervisors adopted the Environmental Impact Report (EIR) for the County Medical Center (CMC) Replacement project in Colton. The EIR contained mitigation requirements including Interstate 10 (I-10) interchange improvements (the interchange project) and the realignment of Valley Boulevard at Pepper Avenue (the intersection project).

Design of the interchange and intersection projects was undertaken in late 1996. On December 17, 1996, the County entered into a contract with Parsons Brinckerhoff Quade & Douglas Inc. (PB) for consultant services to design the improvements. Ultimately, work on the interchange and intersection projects was halted due to impacts related to the listing as an endangered species of the Delhi Sands Flower Loving Fly.

In an effort to expedite the environmental review and clearance process, a decision was made in November 1996 to separate the interchange and intersection projects. The County proceeded with the preparation of a Habitat Conservation Plan (HCP) for the intersection project under the Endangered Species Act (ESA), section 10(a) process with the United States Fish and Wildlife Service (USFWS). The terms of a mitigation agreement were nearly completed (including the acquisition of approximately 1.9 acres of occupied habitat mitigation land and a \$100,000 endowment to manage the habitat), when in October 1998, a Federal Demonstration Grant of approximately \$6.7 million was obtained to help pay for the projects. It was at this time that the County determined that joining the interchange and intersection projects together was the best way to proceed.

The section 10(a) process is designed for "non-federal" projects only. The utilization of federal monies required an ESA section 7 consultation with the Federal Highway Administration (FHWA) and USFWS, which was undertaken in early 1999. Under section 7, the ESA requires analysis of direct and indirect effects on the endangered species, resulting in a broader assessment of impacts. The USFWS submitted a draft Biological Opinion (BO) in July 2000 that required the County to acquire 20 acres of mitigation land north of I-10 (in addition to the approximate 1.9 acres of occupied habitat for the intersection project) plus a \$50,000 endowment. In April 2001, the County provided comments on the draft BO and requested approval to phase construction and mitigation for the intersection and interchange. The County also proposed a cap of \$1,000,000 on the purchase of the 20 acres, and requested that the acquisition be allowed to include property south of I-10 if 20 acres was not available at fair market value north of I-10. USFWS was not agreeable to this request and an impasse was reached.

Record of Action of the Board of Supervisors

QA

**BOARD OF SUPERVISORS
VALLEY/PEPPER INTERSECTION PROJECT IN COLTON**

May 20, 2003

Page 2 of 3

84

In January 2003, the CAO advised USFWS of its intention to again separate the projects and proceed with the intersection project only under an ESA section 10(a) permit process. The estimated cost of the intersection and interchange project, including required mitigation land, had escalated to \$19 million (\$6 million for the intersection project and \$13 million for the interchange project). The County advised USFWS it was unable to fund both projects at this time. Since the interchange project is a regional transportation facility, the County advised USFWS it would continue to explore various options including combining the interchange project with other regional transportation projects. There is no sunset on the \$6.7 million Federal Demonstration Grant.

On December 17, 2002, the Board reserved \$6 million of County contingencies to fund the intersection project improvements. This agenda item authorizes the transfer of the entire reserve amount to the Transportation Road fund. The Public Works Department, Transportation Division, will oversee all phases of design and construction. This agenda item also terminates the prior agreement with PB, approves a new contract with PB to proceed with the updating and completing of design of only the intersection project, and transfers remaining funds in the CIP budget to the Transportation budget.

In the original contract, Parsons Brinckerhoff Quade & Douglas Inc. was determined to be the most qualified firm to prepare the plans, specifications, estimates, and provide construction management services. The selection process included a Request for Proposals followed by interviews before a selection board including members from the County, City of Colton and Caltrans. PB nearly completed design of both the interchange and intersection projects under the original contract. The contract also included some elements of construction management for both projects and those services had not been provided to date. Rather than amending the prior contract, Public Works has negotiated a new contract with PB for the remaining tasks in order to complete the intersection project. The new contract includes the following scope of work:

1. New traffic analysis, which will require new traffic counts and modeling geometrics for future year 2025 forecasts;
2. Modification of the proposed striping and signing plan for the intersection;
3. Modifying the proposed traffic signal plan for the Valley/Pepper intersection;
4. Modifying the existing street/drainage improvement plans of the intersection to comply with Caltrans requirements;
5. Construction surveying and geotechnical sampling and testing;
6. Performing environmental services during construction, and
7. Construction management services.

Parsons Brinckerhoff Quade & Douglas Inc. (PB) has a team of sub-consultants who have previously participated in tasks for this project. Associated Engineers will be updating plans and specifications and they are proposed for Construction Management; their sub-consultant the RMA Group will be doing testing required during construction. During previous work on this project, the PB team has developed a unique understanding of the plans and specifications and experience dealing with the City of Colton, CALTRANS and the County. Another sub-consultant of PB, Thomas Olsen Associates, Inc. will be performing specific environmental tasks for biological services and habitat conservation related to the endangered Delhi Sands Flower Loving fly. Olsen has extensive experience dealing with the various agencies, especially the USFWS. Selection of this consultant, with their team, will result in project timeliness, improved task efficiency, and savings to the County.

PB and Associated Engineers are also pre-approved by the County to perform construction management services. On September 19, 2000, the Board approved the issuance of a Request for Proposals (RFP) for Construction Contract Management services in accordance with County Policy No. 11-05. Ten (10) proposals were received on October 18, 2000. A panel of knowledgeable personnel from the department reviewed the proposals and selected five (5) firms: Associated Engineers, Caltrop of Upland, Inland Construction Management of San Bernardino, Inland Valley Quality Control of San Bernardino, and Parsons Brinckerhoff Quade & Douglas Inc. as the firms best qualified to provide Construction Contract Management services. These firms are being used on a rotational basis to provide Construction Contract Management services when Department personnel are not available. Based on the above selection, staff believes that Parsons Brinckerhoff Quade & Douglas Inc. and Associated Engineers are the most qualified firms for this contract.

84

**BOARD OF SUPERVISORS
VALLEY/PEPPER INTERSECTION PROJECT IN COLTON**

May 20, 2003

Page 3 of 3

84

Another agenda item will be presented to the Board in the near future by Real Estate Services Department for approval of the appraisals and authorization to negotiate for the acquisition of various rights-of-way needed for the intersection project and the 1.9 acres still expected to be a mitigation requirement for the intersection project. The CAO has begun discussion of this approach with the USFWS, and anticipates submitting the Section 10(a) permit for the intersection project to USFWS in July.

REVIEW BY OTHERS: This item has been reviewed by County Counsel (Charles S. Scolastico, Deputy County Counsel) on May 12, 2003, and the County Administrative Office (Gerry Newcombe, Deputy Administrative Officer, and Janet Lowe and Tom Forster, Administrative Analysts) on May 12, 2003.

FINANCIAL IMPACT: The contract costs for consultant services by Parsons Brinckerhoff Quade & Douglas Inc. are estimated at \$645,888. Sufficient appropriations for the services from this contract are available in the FY 2002/2003 Transportation Road Fund budget.

If approved, the following budget adjustments are required in 2002-2003 budget:

Transfers In and Out:

<u>Fund</u>	<u>Dept</u>	<u>Org</u>	<u>Object/Balance Sheet Acct.</u>	<u>Description</u>	<u>Amount</u>
AAA	FAD		5030	Operating Transfer Out	\$6,000,000
AAA			B667	Valley and Pepper Intersection Reserve	(\$6,000,000)
CJV	CIP	2530	4030	Capital Improvement Program	(\$43,082)
CJV	CIP		5030	Operating Transfer Out	\$43,082

If approved, the following budget adjustments will be incorporated into the 2003-04 proposed budget:

Increase in Appropriations and Revenue:

SAA	TRA	1340	Salaries and Benefits	\$ 100,000
SAA	TRA	2445	Professional Services	\$ 4,193,082
SAA	TRA	3345	Rights of Way	\$ 1,750,000
SAA	TRA	9975	Operating Transfer In	\$6,043,082

SUPERVISORIAL DISTRICT(S): Fifth.

PRESENTER: Gerry Newcombe, Deputy Administrative Officer, 387-9046
Ken Miller, Director, Department of Public Works, 387-7906